

SB 6215 - S AMD 138

By Senators Frockt, King

ADOPTED 02/14/2012

1 Strike everything after the enacting clause and insert the following:

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3 **Sec. 1.** RCW 36.73.015 and 2010 c 251 s 2 and 2010 c 105 s 1 are
4 each reenacted and amended to read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "City" means a city or town.

8 (2) "District" means a transportation benefit district created
9 under this chapter.

10 (3) "Low-income" means household income that is at or below forty-
11 five percent of the median household income, adjusted for household
12 size, for the district in which the fees, taxes, or tolls were
13 imposed.

14 (4) "Rebate program" means an optional program established by a
15 transportation benefit district that includes a city with a population
16 of five hundred thousand persons or more for the purpose of providing
17 rebates to low-income individuals for fees, taxes, and/or tolls
18 imposed by such transportation benefit district for: (a) Vehicle fees
19 imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed
20 under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW
21 36.73.040(3)(d).

22 (5) "Supplemental transportation improvement" or "supplemental
23 improvement" means any project, work, or undertaking to provide public
24 transportation service, in addition to a district's existing or
25 planned voter-approved transportation improvements, proposed by a
26 participating city member of the district under RCW 36.73.180.

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1 **Sec. 3.** RCW 36.73.065 and 2007 c 329 s 1 are each amended to read
2 as follows:

3 (1) Except as provided in subsection (4) of this section, taxes,
4 fees, charges, and tolls may not be imposed by a district without
5 approval of a majority of the voters in the district voting on a
6 proposition at a general or special election. The proposition must
7 include a specific description of: (a) The transportation improvement
8 or improvements proposed by the district; (b) any rebate program
9 proposed to be established under section 3 of this act; and (c) the
10 proposed taxes, fees, charges, and the range of tolls imposed by the
11 district to raise revenue to fund the improvement or improvements or
12 rebate program, as applicable.

13 (2) Voter approval under this section (~~shall~~) must be accorded
14 substantial weight regarding the validity of a transportation
15 improvement as defined in RCW 36.73.015.

16 (3) A district may not increase any taxes, fees, charges, or range
17 of tolls imposed or change a rebate program under this chapter once
18 the taxes, fees, charges, (~~or~~) tolls, or rebate program takes
19 effect, unless authorized by the district voters pursuant to RCW
20 36.73.160.

21 (4)(a) A district that includes all the territory within the
22 boundaries of the jurisdiction, or jurisdictions, establishing the
23 district may impose by a majority vote of the governing board of the
24 district the following fees and charges:

25 (i) Up to twenty dollars of the vehicle fee authorized in RCW
26 82.80.140; or

27 (ii) A fee or charge in accordance with RCW 36.73.120.

28 (b) The vehicle fee authorized in (a) of this subsection may only
29 be imposed for a passenger-only ferry transportation improvement if
30 the vehicle fee is first approved by a majority of the voters within
31 the jurisdiction of the district.

32 (c)(i) A district solely comprised of a city or cities shall not
33 impose the fees or charges identified in (a) of this subsection within
34 one hundred eighty days after July 22, 2007, unless the county in

1 which the city or cities reside, by resolution, declares that it will
2 not impose the fees or charges identified in (a) of this subsection
3 within the one hundred eighty-day period; or

4 (ii) A district solely comprised of a city or cities identified in
5 RCW 36.73.020(6)(b) (~~shall~~) may not impose the fees or charges until
6 after May 22, 2008, unless the county in which the city or cities
7 reside, by resolution, declares that it will not impose the fees or
8 charges identified in (a) of this subsection through May 22, 2008.

9 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
10 reached, a district that includes only the unincorporated territory of
11 a county may impose by a majority vote of the governing body of the
12 district up to twenty dollars of the vehicle fee authorized in RCW
13 82.80.140."

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EFFECT: Allows only a transportation benefit district that includes
a city with a population of 500,000 or more to create a low-income
rebate program.

Adds a definition of low-income as, household income that is at or
below 45 percent of the median household income, adjusted for
household size, for the district in which the fees, taxes, or tolls
were imposed.

Specifies that a rebate can be up to 40 percent of the fee, tax, or
toll actually paid by the low income individual.

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